

COMMISSION ON ETHICS & PUBLIC TRUST



REPORT OF INVESTIGATION

Date Open: Oct. 3, 2011

Date Closed: April 5, 2012

Investigator: Breno Penichet

Case No.: K11-119 (Luther Campbell)

In October 2011, this office received information from an anonymous source that Luther Campbell (Campbell) had failed to disclose certain information on the financial disclosure form that he filed as part of his qualifying papers in order for him to run for the position of Mayor of Miami-Dade County.

The anonymous source also provided supporting documentation including, among other things, copies of various mortgage documents and a Summary Final Judgment issued against Campbell. Campbell, was in fact a candidate for the office of Mayor of Miami-Dade County. On April 12, 2011, he filed his qualifying papers declaring his candidacy for Miami-Dade County Mayor. Among those qualifying papers, he filed a "Full and Public Disclosure of Financial Interests" form also known as a "Form 6." In the section of the Form 6 designated as "Part C-Liabilities," Campbell failed to disclose the outstanding mortgage on his property located at 7180 N. Oakmont Drive, Hialeah, Florida 33015.

Investigation revealed that on February 28, 2007, a mortgage was held on that property by Fremont Investment & Loan to secure a loan of \$658,000. Campbell is listed as the borrower on the loan. In February 2010, the mortgage was assigned to Kondaur Capital Corporation (KCC). A COE investigator contacted KCC and was advised that the mortgage is, in fact, still valid and in effect and has not been satisfied.

Attorneys for Pathman Lewis, LLP confirmed that the summary final judgment issued against Respondent in favor of Pathman Lewis, LLP in the amount of \$8,305.45 had not been satisfied and was still due and owing. This judgment was issued September 26, 2007. Respondent failed to disclose the outstanding Pathman Lewis, LLP judgment against him on his Form 6.

Relevant ordinances:

Section 2-11.1 (i) of the Code states in pertinent part,

(i) *Financial disclosure.*

(1) All persons and firms included within Subsections (a) and (b)(2), (3) and (4) of this section shall file, no later than 12:00 noon of July 1st of each year, including the July 1st following the last year that person is in office or held such employment, one (1) of the following:

(a) A copy of that person's or firm's current federal income tax return; or (b) A current certified financial statement on a form of the type approved for use by state or national banks in Florida listing all assets and liabilities having a value in excess of one thousand dollars (\$1,000.00) and a short description of each; or (c) An itemized source of income statement, under oath and on a form approved by the County for said purpose. Compliance with the financial disclosure provisions of Chapter 112 (Part III) Florida Statutes, as amended, or with the provisions of Article II, Section 8 of the Florida Constitution, as amended by the voters on November 2, 1976, and any general laws promulgated thereunder shall constitute compliance with this section.

(3) Candidates for County and municipal office. All candidates for County and municipal elective office shall comply with the filing requirements of Subsection (i)(1)...at the same time that the candidate files qualifying papers.

Conclusion:

On April 10, 2012, Campbell appeared at the offices of the COE and filed amended Financial Disclosure Form 6. Accordingly, since Mr. Campbell came into compliance by filing corrected forms, no further action will be taken and this case is closed.